MINUTES, REGULAR MEETING CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA JANUARY 11, 2021

La Crescent Police Chief Doug Stavenau administered the oath of office to newly elected Mayor Mikel Poellinger and Council Members Ryan Hutchinson and Dale Williams.

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of January was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, January 11, 2021.

Pursuant to Minn. Stat. § 13D.021 and due to the COVID-19 pandemic, members of the City Council and City Staff were given the option to attend the meeting by telephone or Zoom. Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Ryan Hutchinson, Cherryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller, City Attorney Skip Wieser, and City Administrative Assistant Angie Boettcher.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES DECEMBER 21, 2020
- 1.2 BILLS PAYABLE THROUGH JANUARY 7, 2021

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. It was recommended to amend the December 21, 2020 Minutes regarding Item 2 – Public Hearing to correct the heading to read "Item 2 – Public Hearing – Horse Track Meadows Special Assessment Hearing". Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED INCLUDING AN AMENDMENT TO THE DECEMBER 21, 2020 MINUTES REGARDING ITEM 2 – PUBLIC HEARING TO CORRECT THE HEADING TO READ "ITEM 2 – PUBLIC HEARING – HORSE TRACK MEADOWS SPECIAL ASSESSMENT HEARING".

Upon a roll call vote taken and tallied by the City Administrator, all Member present voted in favor thereof, viz:

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.1 – SWEARING IN OF MAYOR - See Above

ITEM 3.2 – SWEARING IN OF CITY COUNCIL MEMBERS - See Above

ITEM 3.3 – ANNUAL APPOINTMENTS

City Council took up discussion of the annual appointments for 2021, following which Member Jostad made a motion, seconded by Member O'Donnell-Ebner, to approve the following motion:

A MOTION TO APPROVE DALE WILLIAMS AS THE ACTING MAYOR.

Upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson Yes Cherryl Jostad Yes Teresa O'Donnell-Ebner Yes Mike Poellinger Yes

Member Dale Williams abstained from voting and none voted against the same. The motion was declared duly carried by a 4-0 vote.

Upon recommendation of official depositories for the City by Finance Director Debbie Shimshak, Member O'Donnell-Ebner then introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 01-21-01

A RESOLUTION DESIGNATING, AS A DEPOSITORY OF THE CITY OF LA CRESCENT FUNDS, ONE OR MORE FINANCIAL INSTITUTIONS

WHEREAS, Minn. Stat. § 118A.02, subd. 1 and Minn. Stat. §§ 427.01-.12, require that the City of La Crescent designate, as a depository of its funds, one or more financial institutions within 30 days of the start of the City's fiscal year.

BE IT RESOLVED, that the City Council of the City of La Crescent designates the following financial institutions as official depositories for the City of La Crescent for all City banking functions and investments:

Merchants Bank - La Crescent
Home Federal Savings - La Crescent
Edward Jones - La Crescent
Northland Securities, Inc.
4M Fund (sponsored by the League of Minnesota Cities)
Institutional CD's Inc./ICD Securities, Inc. - Broker
Altra Federal Credit Union - La Crescent
Multi-Banks Securities

Eitzen State Bank – La Crescent

ADOPTED this 11th day of January, 2021.	
	SIGNED:
ATTEST:	Mayor
City Administrator	
The foregoing motion was duly seconded by Member l by the City Administrator, all Members voted in favor	•

Ryan Hutchinson Yes Cherryl Jostad Yes Teresa O'Donnell-Ebner Yes Dale Williams Yes Mike Poellinger Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

Regarding the Official Newspaper, Member Williams made a motion, seconded by Member Hutchinson, to approve the following motion:

A MOTION APPOINTING THE HOUSTON COUNTY NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF LA CRESCENT.

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Yes Ryan Hutchinson Cherryl Jostad Yes Teresa O'Donnell-Ebner Yes Dale Williams Yes Mike Poellinger Yes

and none voted against the same. The motion was declared duly carried.

Regarding Assistant Weed Inspector, Member Jostad made a motion, seconded by Member Hutchinson, to approve the following motion:

A MOTION APPOINTING SHAWN WETTERLIN AS ASSISTANT WEED INSPECTOR FOR THE CITY OF LA CRESCENT.

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Ryan Hutchinson Yes
Cherryl Jostad Yes
Teresa O'Donnell-Ebner Yes
Dale Williams Yes
Mike Poellinger Yes

and none voted against the same. The motion was declared duly carried.

Member Williams then introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 01-21-02

A RESOLUTION APPOINTING A RESPONSIBLE AUTHORITY AND ASSIGNING DUTIES, STATE OF MINNESOTA

WHEREAS, Minnesota Statutes, Section 13.02 Subdivision 16, as amended, requires that the City of La Crescent appoint one person as the Responsible Authority to administer the requirements for collection, storage, use, and dissemination of data on individuals, within the City, and

WHEREAS, the City Council shares concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively qualified Responsible Authority as required under the statutes,

BE IT RESOLVED, that the City Council of La Crescent appoints Debbie Shimshak as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Chapter 13, as amended, and with rules as lawfully promulgated by the Commissioner of Administration.

FURTHER BE IT RESOLVED, the Responsible Authority shall require the requesting party to pay the actual costs of making, certifying, and compiling copies and of preparing summary data.

ADOPTED this 11th day of January, 2021.

	SIGNED:	
ATTEST:	Mayor	
City Administrator		

The foregoing motion was duly seconded by Member O'Donnell-Ebner and upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.4 – CITY COUNCIL APPOINTMENTS

At the direction of the Mayor, the proposed Commission assignments for 2021 were reviewed by City Council. Following discussion, Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO CITY COMMISSIONS FOR 2021:

Planning Commission Dale Williams
Emergency Services Commission Mike Poellinger

Library Board Teresa O'Donnell-Ebner

Golf Commission Ryan Hutchinson

Park and Recreation Commission Teresa O'Donnell-Ebner

Personnel Committee Mike Poellinger and Dale Williams

La Crescent Animal Rescue Ryan Hutchinson

Fire Cooperative Mike Poellinger and Cherryl Jostad

Economic Development Commission
Fire Department Relief Association
Explore La Crosse

Cherryl Jostad
Cherryl Jostad

GreenStep Committee Teresa O'Donnell-Ebner

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Ryan Hutchinson Yes
Cherryl Jostad Yes
Teresa O'Donnell-Ebner Yes
Dale Williams Yes
Mike Poellinger Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.5 – ADVISORY COMMISSION APPOINTMENTS

Mayor Poellinger reviewed with City Council the various City of La Crescent standing commission appointments for 2021 and recommended reappointing those that are expiring. There was a question regarding Jason Ludwigson becoming an ex-officio member of the Planning Commission. The appointments for the Library Board will be reviewed at an upcoming City Council Meeting. Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

MOTION APPROVING THE FOLLOWING INDIVIDUALS TO CITY OF LA CRESCENT STANDING COMMISSIONS FOR 2021:

PLANNING COMMISSION

- 1. Dave Coleman 2023^
- 2. Jason Ludwigson 2022
- 3. **Dave Hanifl 2022**
- 4. Mike Welch 2021
- 5. Anna Stoecklein 2023*
- 6. Linda Larson 2021
- **7. Jerry Steffes 2021**

PARK AND RECREATION COMMISSION

- 1. Jon Steffes 2022
- 2. Paul McLellan 2022
- 3. Randy Dobbs 2022
- 4. Mike Limberg 2023*
- 5. Sarah Wetterlin 2023*
- 6. Diana Adamski 2021
- 7. Eileen Krenz 2021

GOLF COMMISSION

- 1. Garry Hill 2022
- 2. Tom Jones 2021
- 3. Larry Ernst 2022
- 4. Bill Dockendorff 2023*
- 5. Scott Yeiter 2023*

HISTORIC BLUFF COUNTRY COMMISSION

1. Eileen Krenz – 2021*

ECONOMIC DEVELOPMENT COMMISSION

- 1. Larry Stryker 2022
- 2. Eileen Krenz 2023*
- 3. Mike Welch 2021
- 4. Troy Nolop 2023*
- 5. Lori Kadlec 2021
- 6. Al Voss 2022
- 7. Brett Kemmer 2021

GREENSTEP COMMITTEE

- 1. Jim Nissen 2021
- 2. Jason Ludwigson 2021
- 3. Michael Alfieri 2021
- 4. Angie Boettcher 2021
- 5. Tyler Benish 2021
- 6. Shawn Wetterlin 2021
- 7. Meghan Steffes 2021
- 8. Isabelle Morken 2021

NATURAL RESOURCE ADVISORY GROUP

- 1. Jim Nissen 2021
- 2. Ruth Nissen 2021
- 3. Phyllis Feiock 2021
- 4. Randy Urich 2021
- 5. Mary Thompson 2021
- 6. Craig Thompson 2021
- 7.

BICYCLE/PEDESTRIAN COMMITTEE

- 1. Jason Ludwigson 2021
- 2. Linda Larson 2021
- 3. Anna Stoecklein 2021
- 4. Maseray Severn 2021
- 5. Kristen Plummer 2021

Indicates Reappointed*

New Appointment^

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Ryan Hutchinson Yes
Cherryl Jostad Yes
Teresa O'Donnell-Ebner Yes
Dale Williams Yes
Mike Poellinger Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.6 – RESOLUTIONS TO ACCEPT DONATIONS

La Crescent Police Chief Doug Stavenau reviewed with City Council two (2) Resolutions regarding donations to the La Crescent Police Department and the La Crescent Fire Department. Eunice Dahlen wishes to donate \$10,000.00 to each the Police Department and Fire Department to use as they desire. It was recommended to City Council to adopt the Resolutions accepting the donations. Following discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 01-21-03

RESOLUTION ACCEPTING DONATION OF \$10,000.00 FROM EUNICE DAHLEN FOR THE LA CRESCENT POLICE DEPARTMENT

WHEREAS, Eunice Dahlen wishes to donate \$10,000.00 to the La Crescent Police Department for the Department to use as they desire.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of La Crescent hereby accepts the donation of \$10,000.00 from Eunice Dahlen for the La Crescent Police Department.

ADOPTED this 11th day of	nuary, 2021.	
	SIGNED:	
ATTEST:	Mayor	
City Administrator		
The foregoing motion was duly sectallied by the City Administrator, a		and upon a roll call vote taken and ereof, viz;
Ryan Hutchinson Cherryl Jostad Teresa O'Donnell-Ebner Dale Williams Mike Poellinger and none voted against the same. Tadopted.	Yes Yes Yes Yes Yes Yes Yes The motion was declared duly carried	and the resolution duly passed and
Following discussion, Member Wiladoption:	ams introduced the following resol	ution and moved its passage and
	RESOLUTION NO. 01-21-04	
	ONATION OF \$10,000.00 FROM CRESCENT FIRE DEPARTME	MEUNICE DAHLEN FOR THE
Department to use as they desire.	ESOLVED, that the City Council	•
ADOPTED this 11th day of	nuary, 2021.	
	SIGNED:	
	Mayor	

The foregoing motion was duly seconded by Member Jostad and upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

City Council directed City Administrator Waller to send a thank you to Ms. Dahlen for her donations.

ITEM 3.7 REVIEW CITY COUNCIL RULES AND PROCEDURES

City Attorney Wieser reviewed Resolution No. 02-13-03 which sets forth the groundwork for orderly and respectful communication and to promote efficient working of the public's interest at Council Meetings. Pursuant to the authority of Minn. Stat. § 412.191 Subd. 2, City Councils have the authority to regulate their own procedure. The Organizational Resolution has been in place with the City of La Crescent since 1975. Significant reviews were done in 2013 and 2014. Thereafter, the document has been reviewed and approved at the initial meeting of the year. This item was informational, and no action was taken.

ITEM 3.8 – REVIEW CITY CODE OF CONDUCT

City Attorney Wieser then reviewed with City Council the Code of Conduct for elected and appointed officials of the City of La Crescent. The Code of Conduct was initially adopted in 2014. The Code of Conduct is an aspirational document for the City and how the Council and other representatives of the City conduct themselves while performing City business. There were no proposed changes to this Code of Conduct. This item was informational, and no action was taken.

ITEM 3.9 – REVIEW SOCIAL MEDIA POLICY

City Attorney Wieser also reviewed with City Council a copy of the existing Communications Policy adopted by the City of La Crescent. This was initially adopted in March 2003 and last reviewed/updated last year with an update regarding use of cellular devices. It was recommended that on page 2 of the Communications Policy under the "Telephone" heading that the sentence regarding the use of calling cards be deleted as they are no longer used by most people. Following discussion, Member Hutchinson made a motion, seconded by Member Jostad, as follows:

MOTION TO APPROVE THE COMMUNICATIONS POLICY AS PRESENTED WITH THE DELETION OF THE SENTENCE REGARDING CALLING CARDS ON PAGE 2 UNDER THE "TELEPHONE" HEADING.

Upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson Yes
Cherryl Jostad Yes
Teresa O'Donnell-Ebner Yes
Dale Williams Yes
Mike Poellinger Yes

City Attorney Wieser also reviewed with City Council his January 7, 2021 Memo to City Council regarding the question raised by a City Council Member regarding participation in a vote for an item that a Member had abstained from voting previously on that related item. City Attorney Wieser concluded that the Member is not precluded from participating in the vote but recommended a better practice would be to abstain.

ITEM 3.10 – 2021 LICENSE RENEWALS

City Council reviewed a list of proposed license renewals for 2021. The applications appear to be in order, and it was recommended to City Council to approve the license renewal applications. Following discussion, Member Hutchinson made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LICENSE RENEWALS FOR 2021 FOR THE FOLLOWING:

CIGARETTES – PUMP 4 LESS/SOUTHSIDE CORNER

LIQUOR OFF-SALE – LA CRESCENT WINE & SPIRITS; PUMP 4 LESS/SOUTHSIDE CORNER; SWING BRIDGE PUB LLC

LIQUOR ON-SALE - SWING BRIDGE PUB LLC

LIQUOR SUNDAY - SWING BRIDGE PUB LLC

GAS INSTALLERS – ABSOLUTE COMFORT HEATING & AIR CONDITIONING; ADVANCED COMFORT SPECIALISTS LLC; BAGNIEFSKI HEATING & AIR CONDITIONING; BOSTRACK HEATING & AIR CONDITIONING; CARY HEATING & AIR CONDITIONING; LA CROSSE FIREPLACE CO.; PRIME SOURCE PLUMBING & HEATING; RON HAMMES REFRIGERATION; SCHROEDER HEATING & COOLING; WINONA HEATING & VENTILATING

SOLID WASTE – HARTER'S TRASH & RECYCLING INC.; HILLTOPPER REFUSE & RECYCLING SVC; WASTE MANAGEMENT

MASSAGE BUSINESS – HEAVEN'S HANDS INC.; LA CRESCENT MASSAGE; LISA J MIKKELSON

MASSAGE TECHNICIAN - HEAVEN'S HANDS INC.; LA CRESCENT MASSAGE; LISA J MIKKELSON

Upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson Yes
Cherryl Jostad Yes
Teresa O'Donnell-Ebner Yes
Dale Williams Yes
Mike Poellinger Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.11 – TRANSFER OF WIESER PARK

City Administrator Waller reviewed with City Council a proposed Resolution and Quit Claim Deed regarding the transfer of Wieser Memorial Park. This is similar to when La Crescent Township deeded Crescent Valley Park to the City. At La Crescent Township's December 2020 Town Board Meeting, the future of Wieser Memorial Park was discussed by the La Crescent Township Board. The Township Board has elected to give the park to the City of La Crescent. The park is located on County Road 6 adjacent and contiguous to the Horse Track Meadows Development. This gift is conditioned upon the City of La Crescent agreeing to the following: that the name, Wieser Memorial Park, will remained unchanged; that the historic stone located at the entrance of the park by the flagpole will remain in place; and that the deed of conveyance contains a restrictive covenant that the property be utilized by the public for recreational purpose only. This restriction is contained on the conveyance to La Crescent Township. It was recommended to City council to adopt the Resolution. Following the passing of the Resolution, the City Administrator and City Attorney would coordinate finalizing the transfer with La Crescent Township. Thereafter, City Council would be presented with an Ordinance annexing Wieser Memorial Park from the Township of La Crescent to the City of La Crescent. Following discussion, Member O'Donnell-Ebner introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 01-21-05

A RESOLUTION ACCEPTING THE GIFT OF LAND (WIESER MEMORIAL PARK) FROM THE TOWNSHIP OF LA CRESCENT

WHEREAS, the real property described on Exhibit A and known as Wieser Memorial Park was deeded to the Township of La Crescent in 1995 for recreational purposes.

WHEREAS, the Township of La Crescent is desirous of transferring ownership of Wieser Memorial Park to the City of La Crescent under the following terms and conditions:

- 1. That the real property described be utilized for recreational purposes only.
- 2. That the name of the park shall remain Wieser Memorial Park.
- 3. That the historical stone currently located at the entrance of the park, by the flagpole, will remain in place.

WHEREAS, the City of La Crescent agrees to accept the conveyance of real property known as Wieser Memorial Park subject to the conditions identified above.

NOW THEREFORE BE IT RESOLVED, by the La Crescent City Council, that the City of La Crescent hereby accepts the conveyance of real property known as Wieser Memorial Park from the Township of La Crescent, subject to the conditions identified above.

	SIGNED:
ATTEST:	Mayor
City Administrator	

The foregoing motion was duly seconded by Member Jostad and upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Ryan Hutchinson Yes
Cherryl Jostad Yes
Teresa O'Donnell-Ebner Yes
Dale Williams Yes
Mike Poellinger Yes

ADOPTED this 11th day of January, 2021.

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.12 – PLANNING COMMISSION MINUTES – 1/5/2021

City Attorney Wieser reviewed with City Council the Planning Commission Minutes from the January 5, 2021 meeting. This item was informational, and no action was taken.

ITEM 3.13 – ACENTEK PARKING LOT LEASE EXTENSION

City Administrator Waller reviewed with City Council a lease agreement for the parking lot that Acentek owns in downtown La Crescent. This agreement has been in place for many years, is utilized by numerous downtown businesses, and will be incorporated into the City's new bicycle/pedestrian bridge. It was recommended to City Council to approve the lease agreement. Following discussion, Member Williams made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO APPROVE THE LEASE AGREEMENT FOR THE PARKING LOT THAT ACENTEK OWNS IN DOWNTOWN LA CRESCENT FOR A PERIOD OF 15 YEARS FROM AND AFTER THE EFFECTIVE DATE.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.14 – PROPERTY ACQUISITION DISCUSSION

City Administrator Waller provided City Council with a brief update regarding the property acquisition for the property located at 322 South 1st Street. This item was informational, and no action was taken.

ITEM 7.1 - CORRESPONDENCE - MnDOT - SAFE ROUTES TO SCHOOL GRANT

City Council reviewed an email dated December 14, 2020 from Dave Cowan, Safe Routes to School (SRTS) Coordinator, for MnDOT, informing the City that the La Crescent SRTS Demonstration Project has been selected for a demonstration project for Spring 2021/Fall 2021. No action taken.

ITEM 7.2 - CORRESPONDENCE - FEDERAL TRANSIT - BUS SHELTERS GRANT

City Council reviewed an email dated December 30, 2020 from Evan Gross of the Federal Transit Administration informing the City of a \$26,400.00 grant award for building new bus shelters in the City of La Crescent. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

Eileen Krenz from the La Crescent Chamber of Commerce informed City Council that there would not be an Auction for the Chamber this year and that the Annual Meeting would be virtual in February. She also attended a local webinar on the CARES Act Funding.

ITEM 9 – ITEMS FOR NEXT AGENDA

It was recommended that the CARES Act Funding be added to the February 8, 2021 City Council Meeting agenda.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member O'Donnell-Ebner, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion 6:23 PM.	was declared duly carried and the meeting duly adjourned at
APPROVAL DATE:	
	SIGNED:
	Mayor
ATTEST:	
City Administrator	